

**LAURRELL SMITH,  
ADMINISTRATRIX OF THE ESTATE  
OF JAMES ROWLEY SMITH, III,**

**Plaintiff,**

**v.**

**ERIC FRESHER, TERAOWN BENTON,  
AND C.R. ENGLAND, INC.,**

**Defendants.**

This matter is before the Court on Defendant C.R. England Inc.'s Motion to Dismiss Pursuant to Rule 12(b)(6) and Motion for Partial Judgment on the Pleadings Pursuant to Rule 12(c) (Doc. 14) ("Motion to Dismiss").

The Motion to Dismiss was filed on July 10, 2019 and seeks the dismissal with prejudice of, or partial judgment on the pleadings regarding, Plaintiff's Sixth Claim for Relief: Negligent Training & Supervision of Defendant Benton by Defendant C.R. England, Inc.

On July 23, 2019, the parties filed a Stipulation of Dismissal (Doc. 25) stipulating to the dismissal with prejudice of Plaintiff's Sixth Claim for Relief.

Accordingly, the Motion to Dismiss (Doc. 14) is **DENIED AS MOOT**.

Signed: September 3, 2019

*W. Carlton Mitchell*

W. Carleton Metcalf  
United States Magistrate Judge

